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5

Application Number

10/045,072

Filing Date

January 15, 2002

First Named Inventor

Sinskey, A.

Art Unit

1652

Examiner Name

Monshipouri, Maryam

Attorney Docket Number

031048

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

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Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

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Information Disclosure Statement

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Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/
Incomplete Application

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Reply to Missing Parts
under 37 CFR 1.52 or 1.53

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Drawing(s)

☐

Licensing-related Papers

☐

Petition

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Petition to Convert to a
Provisional Application

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Power of Attorney, Revocation

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Change of Correspondence Address

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Terminal Disclaimer

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Request for Refund

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After Allowance Communication to TC

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Appeal Communication to Board
of Appeals and Interferences

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Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

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Proprietary Information

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Status Letter

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Duane A. Stewart

Printed name

Duane A. Stewart III

Date

November 3, 2004

Reg. No.

54,468

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	IN RE APPLICATION OF: Sinskey, A., et al.	
	Application Serial No.: 10/045,072	Filing Date: January 15, 2002
	Title: Pyruvate Carboxylase From <i>Corynebacterium Glutamicum</i>	
	Group Art Unit 1652	Examiner Monshipouri, Maryam

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	PATENT APPLICATION
	:	
Sinskey, et al.	:	PYRUVATE CARBOXYLASE FROM
	:	<i>CORYNEBACTERIUM GLUTAMICUM</i>
	:	
	:	
Serial No.: 10/045,072	:	Group Art Unit: 1652
	:	
Filed: January 15, 2002	:	Examiner: Monshipouri, Maryam
	:	
	:	Pittsburgh, Pennsylvania 15219
	:	November 19, 2004

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STATEMENT OF THE SUBSTANCE OF AN INTERVIEW

Sir:

Applicants thank the Examiner for the courtesies extended during a telephonic interview conducted 26 October 2004, in the above-captioned application. During that interview, we discussed claim 15. The Examiner inquired if a deposit statement had been made or could be made with respect to that claim. In response, I agreed to send by facsimile a Declaration concerning the deposit requirement that was already submitted in parent applications to this case. Further, authorization was given to amend claim 15 as shown below, and to insert a paragraph stating priority as also shown below. Please note that these amendments do not constitute new amendments and are included only to reflect the amendments approved and made by the Examiner.

1. (15) A method of making lysine by fermentation, comprising culturing a strain of *Corynebacterium glutamicum* in a culture medium, said strain including a nucleic acid molecule encoding pyruvate carboxylase, said nucleic acid molecule comprising a polynucleotide having a nucleotide sequence at least 95% identical to a sequence selected from the group consisting of:

- (a) a nucleotide sequence encoding the pyruvate carboxylase polypeptide having the amino acid sequence ~~in~~ of SEQ ID NO: 2;
- (b) a nucleotide sequence encoding the pyruvate carboxylase polypeptide having the complete amino acid sequence encoded by the clone contained in ATCC Deposit No. PTA-982; and
- (c) a nucleotide sequence complementary to any of the nucleotide sequences in (a) or (b),

wherein said pyruvate carboxylase is expressed 2 to 20 fold higher in said strain than in wild-type *Corynebacterium glutamicum*;

producing lysine, and recovering said lysine.

On page 1, underneath "**Pyruvate Carboxylase from *Corynebacterium glutamicum***" insert --- This application is a Divisional of U.S. Application No. 09/677,575, filed 10/03/2000 now U.S. Patent No. 6,403,351, issued 6/11/2002, which is a Divisional of U.S. Application No. 09/220,081 filed 12/23/1998, now U.S. Patent No. 6,171,833, issued 1/09/2001-
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It is believed that no extension is necessary to make this interview summary timely. If one is necessary, please grant it and deduct the fee for same from deposit account no. 02-4553.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Duane A. Stewart III", with a stylized flourish at the end.

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